

**HARRISVILLE CITY  
ORDINANCE 540**

**CP-2 (COMMERCIAL) ZONE AMENDMENTS**

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING THE CP-2 (COMMERCIAL) USE STANDARDS IN THE CP-2 (COMMERCIAL) ZONE ADDING HEIGHT REQUIREMENTS FOR INDOOR COMMERCIAL ATHLETIC FACILITIES; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Harrisville City is a municipal corporation, duly organized and existing under the laws of the State of Utah;

**WHEREAS**, Utah Code Annotated §10-8-84 and §10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

**WHEREAS**, Utah Code Annotated Title 10 Chapter 9a enables municipalities to regulate land use and development;

**WHEREAS**, the City has adopted Commercial Use Standards to governing land use within the City;

**WHEREAS**, the City desires to amend Commercial Use Standards of Harrisville City as indicated herein;

**WHEREAS**, after publication of the required notice the planning commission held its public hearing on May 10, 2023, to take public comment on the proposed ordinance, after which the commission gave its recommendation to approve this Ordinance;

**WHEREAS**, the council received the recommendation from the planning commission and held its public meeting on July 11, 2023;

**NOW, THEREFORE**, be it ordained by the City Council of Harrisville as follows:

**Section 1: — ~~11.12.020~~ Uses**

~~4. Any use in the following table is permitted if such use has a "P" designation in the zone where the use is listed. A "C" designation indicates that a conditional use permit is required according to the procedures of Chapter 11.18 of this Land Use Ordinance before the use can be allowed. An "N" indicates the use is not allowed in the specific zone where it is listed. If the last column in the use table includes a number this refers to a section in Chapter 11.14 to a specific regulation that is required to be followed in order to allow the use in the specific zone.~~

Land Use	Zone		Specific Use Regulation
	CP-2	MP-1	
<b>RECREATION AND ENTERTAINMENT</b>			
<u>Commercial indoor athletic facility, specifically including regulation size football fields, with a maximum height of 70 feet, provided the facility has frontage on Highway 89, and is adjacent to property shown on the General Plan Land Use Map as General Commercial</u>	€	€	

**Section 2: 11.13.020 Main Building Development Standards**

**3. Main Building height**

Minimum— 10 feet

Maximum— 45 feet, with the following exception:

Commercial indoor athletic facility, specifically including regulation size football fields, with a maximum height of 70 feet, provided the facility has frontage on Highway 89, and is adjacent to property shown on the General Plan Land Use Map as General Commercial.

**Section 3: 11.13.060 Access Limitations**


Access directly onto a residential subdivision or a street that is primarily residential in nature to or from commercial and/or manufacturing uses is prohibited, with the following exception:

A commercial use may have access directly onto a residential subdivision or a street that is primarily residential in nature, if the subdivision is within an area identified on the General Plan Land Use Map as General Commercial, and the street is identified as an arterial, minor arterial, collector, future collector, or a local road where the connection will be within 150 feet of a state road, on the Transportation Master Plan.

**Section 4:** Severability. If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of the ordinance, or specific application of the ordinance, shall be severed from the remainder, which shall continue in full force and effect.

**Section 5:** Effective date. This ordinance shall be effective immediately upon posting after final passage, approval, and posting.

PASSED AND ADOPTED by the City Council on this 8 day of August, 2023.

  
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 MICHELLE TAIT, Mayor  
 Harrisville City

ATTEST:

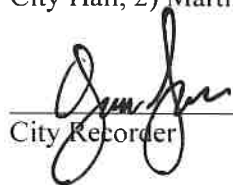


  
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JACK FOCAL  
City Recorder

RECORDED this 10 day of August, 2023.  
PUBLISHED OR POSTED this 10 day of August, 2023.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Harrisville City, hereby certify that foregoing ordinance was duly passed and published, or posted at 1) City Hall, 2) Martin Henderson Harris Cabin and 3) 2150 North on the above referenced dates.

  
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City Recorder

DATE: 8/10/2023